

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-7926

In Re: JACKIE MCKUBBIN,

Petitioner.

On Petition for Writ of Mandamus.
(CR-95-05)

Submitted: July 26, 2006

Decided: August 4, 2006

Before MICHAEL and KING, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Petition denied by unpublished per curiam opinion.

Jackie McKubbin, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Jackie McKubbin petitions for writ of mandamus, alleging the district court has unduly delayed acting on his motion for reduction of sentence pursuant to 18 U.S.C. § 3582(c)(2) (2000). He seeks an order from this court directing the district court to act. Our review of the docket sheet reveals that the district court has recently denied McKubbin's § 3582(c)(2) motion. Accordingly, because the district court has recently decided McKubbin's case, we deny the mandamus petition as moot. We grant leave to proceed in forma pauperis. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED